

THOMAS BOOTH.

[To accompany Bill H. R. No. 654.]

APRIL 13, 1860.

MR. FENTON, from the Committee on Invalid Pensions, made the following

REPORT.

The Committee on Invalid Pensions, to whom was referred the petition of Thomas Boothe having carefully examined the papers and proofs in the case, report:

It appears from petitioner's own affidavit that he is 69 years of age, and a resident of the county of Chautauque, State of New York; and that he enlisted in the United States service as a private June 12, 1812, in a company commanded by Asa Morgan, in the war with Great Britain; and that while in the line of his duty he received a wound a short distance above the ankle-bone by a musket-ball from the enemy, while actually engaged in the battle of Williamsburg, in Lower Canada. The ball partially fractured the bone and lodged in his leg; the ball was afterward extracted. The veins of his leg have become varicose, and the tendons so contracted that he cannot straighten his leg, which causes him to halt in his gait. After receiving the wound he remained in the army, though unable to perform field duty. He was employed mostly in the recruiting service, and was honorably discharged. That he failed to receive the surgeon's certificate for a pension, when he left the army, from the surgeon's neglect of duty or other cause unknown to petitioner. That very few of the wounded whom it was supposed might recover received such certificates. And that the petitioner has been one-half disabled ever since he received the wound. There is no direct corroborating evidence of his wound. John A. Holcomb, now 81 years old, a resident of Crawford county, Pennsylvania, swears that he knew petitioner intimately in 1813; that he saw him just previous to his crossing the St. Lawrence, about the 11th of November, 1813; that he was then an able-bodied man, and sound in both his legs; and when he saw him after the battle of Williamsburg he was lame in his right leg; and said Booth told him, and he also learned from others, that he had been wounded by a musket-ball from the enemy; and he verily believes petitioner was so wounded. Elizabeth A. Couvers, aged 60 years, a resident of

Warren county, Pennsylvania, testifies that she knew said Booth in 1813; that about the 1st of December, 1813, he came to her father's, Dr. Leonard Bacon, and that he was lame with a wound in his leg, which he said he received by a shot from the enemy at the battle of Williamsburg, on the 11th of November, 1813; her father gave him medical aid for said wound. William Booth, a resident of Hanover, Chautauque county, New York, swears that he knew petitioner in 1813; that he came to his residence in Rensselaer county, New York, in 1813; was then in the service of the United States as a recruiting officer; that he saw his warrant and furlough for that purpose; that he had a bad wound on his leg a little above the ankle, apparently made by a ball from a gun; that he was disabled by the wound four or five weeks; as soon as he got partially over it he left home and went to Hartford, Connecticut, where he was in said service, and there stationed until 1817; that he was always from that time lame by reason of his wound, and has been acquainted with him ever since; he has always been lame since, and often so lame as to entirely disable him from performing any labor; the fact of his present disability, and the appearance of the wound being occasioned by a gun-shot, is certified by A. R. Avery and D. G. Colville, physicians in good standing in said county of Chautauque; his application to the Pension office was rejected on the ground "that the rolls of his company furnish no evidence of his ever having been wounded in the service, and that he had failed to produce the evidence of a commissioned officer or two comrades who saw the wound inflicted or were in a position to know the fact; and that the rolls show that petitioner was in the service and performed the duties of a soldier for more than three years after the alleged disability.

The petitioner asks for a pension of \$4 (half pay) per month, dating from the time of the disability. As this would be contrary to the established rules of this committee, and in view of the nature of his service and the severity of his wound, your committee recommend a bill granting him a pension for life at \$4 per month, dating from the 2d day of September, 1858, being the time his application and proofs were made to the department.